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FEB 14 1994

NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

ORIGINAL

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF CHIROPRACTIC EXAMINERS
DOCKET NO.

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
CATHERINE KOWALSKI, D.C.	:	CONSENT ORDER
	:	
TO PRACTICE CHIROPRACTIC IN THE	:	
STATE OF NEW JERSEY	:	
	:	

This matter was opened before the New Jersey State Board of Chiropractic Examiners (hereinafter "the Board"), upon the Board's receipt of complaints from a former employee of Catherine Kowalski, D.C. (hereinafter "Respondent") regarding improperly permitting unlicensed employees to perform electric muscle stimulation and ultra sound treatments in violation of N.J.S.A. 45:9-22.10 and therefore in violation of N.J.S.A. 45:21(e) and (h).

The Board considered the sworn affidavit of the former employee who stated that during her period of employment with Respondent she performed electric muscle stimulation and ultrasound from her first day of employment in 1992 for as much as six hours per day, four days per week. She is not licensed to administer those modalities, and she states she has no training for this except whatever instructions she received from

Respondent. The incidents occurred during the period from August 24, 1992 to October 26, 1992.

Upon review of all of the materials, information and testimony presented, the Board finds that Respondent committed professional misconduct contrary to the provisions of N.J.S.A. 45:1-21(e) and has committed a violation pursuant to N.J.S.A. 45:21(h). The Board further finds that to permit Respondent to continue to practice chiropractic without changing her manner of using assistants would be inconsistent with protection of the public's health, safety and welfare. The parties being desirous of resolving this matter without the necessity of formal proceedings, and it appearing that Respondent, Catherine Kowalski, D.C., acknowledges the findings of the Board previously set forth as constituting grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(e), and (i), and it further appearing that Respondent has read the terms of this Order, understands their meaning, and consents to be bound by same, and it further appearing that the Board finds that the within Order is adequately protective of the public interest, and it further appearing that good cause exists for the entry of the within Order:

IT IS ON THIS 14th DAY OF February, 1994,
ORDERED:

1. Respondent shall cease and desist from utilizing unlicensed persons to perform services that may only be performed by licensed personnel, and specifically, shall cease and desist

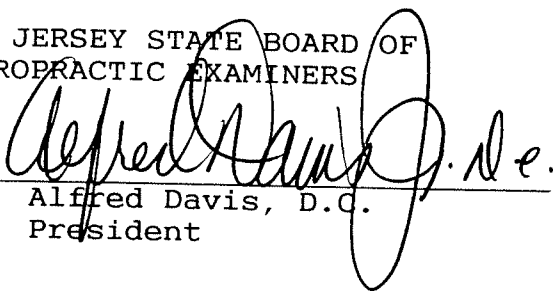
from using unlicensed persons to perform electric muscle stimulation and ultrasound.

2. Respondent shall contemporaneously with the entry hereof, pay a civil penalty in the amount of two thousand five hundred (\$2,500.00) dollars.

3. Respondent shall contemporaneously with the entry of this Order pay costs in an amount not to exceed one thousand (\$1,000) dollars.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By:


Alfred Davis, D.C.
President

I have read the within Consent Order and agree to be bound by its terms. I consent to its entry by the State Board of Chiropractic Examiners.


Catherine Kowalski, D.C.

DATED: 2-14-94

This Order is consented to as to form and entry.
